

APR 16 2007

Application No.: 10/748095

Case No.: 59489US002

REMARKS

Reconsideration is requested.

Claim Status

Claims 1-19 are pending. No claims are amended, canceled, or added in this paper.

Double Patenting Rejection

A terminal disclaimer over U.S. Patent No. 7,041,727 is submitted with this paper. This disclaimer is submitted merely to expedite prosecution and without prejudice to Applicant's arguments that claims 1-19 are patentability distinct over the cited patent.

In view of this disclaimer, Applicants respectfully submit that the rejection for obviousness-type double patenting is overcome and should be withdrawn.

Request for Entry of Amendment to Specification

The specification is amended at page 16 (paragraph 0087 of U.S. Patent Application Publication No. 2005/0145134 A1) to replace "less" with "equal to or greater" correcting an inadvertent error. Antecedent basis is found elsewhere in the application, e.g., page 2, lines 25-26 (i.e., paragraph 11 of the published version). Entry of this amendment after final rejection is requested. The amendment does not change the scope of the application or raise any new issues. The inadvertent error was discovered in the course of reviewing the application in connection with the outstanding Office Action.

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FEES

- ☐ Any required fee will be made at the time of submission via EFS-Web. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge any fees under 37 CFR § 1.17 which may be required to Deposit Account No. 13-3723.
- ☐ Please charge any fees under 37 CFR §§ 1.16 and 1.17 which may be required to Deposit Account No. 13-3723. (One copy of this sheet marked duplicate is enclosed.)
- ☒ Please charge any additional fees associated with the prosecution of this application to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested.
- ☒ Please credit any overpayment to the same deposit account.

CONCLUSION

In view of the above, it is submitted that the application is in condition for allowance. Allowance of claims 1-19 at an early date is solicited.

Respectfully submitted,

April 13, 2007
Date

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